

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF CLAIMS:

1-16 (canceled)

17. (new) A write-once-type recording medium comprising:

- a data area to record therein record data;
- a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and
- a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area.

18. (new) The write-once-type recording medium according to claim 17, wherein the evacuation data and the defect management information are continuously recorded in said shared area.

19. (new) The write-once-type recording medium according to claim 17, wherein the evacuation data and the defect management information are each recorded, repeatedly, a plurality of times, in said shared area.

20. (new) A recording apparatus for recording record data onto a write-once-type recording medium comprising: (i) a data area to record therein the record data; (ii) a control information

recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and (iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area,

said recording apparatus comprising:

a first recording device for recording the record data into said data area; and

a second recording device for recording the evacuation data and the defect management information into said shared area.

21.(new) The recording apparatus according to claim 20, wherein said second recording device records the evacuation data and the defect management information, continuously into said shared area.

22.(new) The recording apparatus according to claim 20, wherein said second recording device uses a border point of a data-recorded-area and a data-unrecorded-area in said shared area as start point, to thereby record the evacuation data and the defect management information into the data-unrecorded-area.

23.(new) A recording method of recording record data onto a write-once-type recording medium comprising: (i) a data area to record therein the record data; (ii) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and (iii) a shared area, which is disposed between said control

information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area,

said recording method comprising:

a first recording process of recording the record data into said data area; and

a second recording process of recording the evacuation data and the defect management information into said shared area.

24. (new) A reproducing apparatus for reproducing the record data recorded on a write-once-type recording medium comprising: (i) a data area to record therein record data; (ii) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and (iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area,

said reproducing apparatus comprising:

a reading device for reading the defect management information recorded in said shared area; and

a reproducing device for reproducing the record data recorded in said data area or the evacuation data recorded in said spare area, on the basis of the read defect management information.

25. (new) The reproducing apparatus according to claim 24, wherein said reading device searches for a border point of a data-recorded-area and a data-unrecorded-area in said shared area, to thereby read the defect management information.

26.(new) A reproducing method of reproducing the record data recorded on a write-once-type recording medium comprising: (i) a data area to record therein record data; (ii) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and (iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area,

said reproducing method comprising:

a reading process of reading the defect management information recorded in said shared area; and

a reproducing process of reproducing the record data recorded in said data area or the evacuation data recorded in said spare area, on the basis of the read defect management information.

27.(new) A computer program product for recording control in a computer-readable medium for tangibly embodying a program of instructions executable by a computer provided for a recording apparatus, said program making the computer function as at least one portion of a first recording device and a second recording device,

said recording apparatus for recording record data onto a write-once-type recording medium comprising: (i) a data area to record therein the record data; (ii) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one

of operations of recording and reading in said data area; and (iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area,

said recording apparatus comprising:

said first recording device for recording the record data into said data area; and

said second recording device for recording the evacuation data and the defect management information into said shared area.

28.(new) A computer program product for reproduction control in a computer-readable medium for tangibly embodying a program of instructions executable by a computer provided for a reproducing apparatus, said program making the computer function as at least one portion of a reading device and a reproducing device,

said reproducing apparatus for reproducing the record data recorded on a write-once-type recording medium comprising: (i) a data area to record therein record data; (ii.) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and (iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area,

said reproducing apparatus comprising:

said reading device for reading the defect management information recorded in said shared area; and

said reproducing device for reproducing the record data recorded in said data area or the evacuation data recorded in

• said spare area, on the basis of the read defect management information.